



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q80553

Toshiro HAYAKAWA

Appln. No.: 10/804,216

Group Art Unit: 3616

Confirmation No.: 6095

Examiner: Not yet assigned

Filed: March 19, 2004

For: SURFACE-EMITTING SEMICONDUCTOR LASER ELEMENT HAVING  
SELECTIVE-OXIDATION TYPE OR ION-INJECTION TYPE CURRENT-  
CONFINEMENT STRUCTURE, InGaAsP QUANTUM WELL, AND InGaP OR  
InGaAsP BARRIER LAYERS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B) - FILING DATE GRANTED**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) - Filing Date Granted," mailed June 1, 2004, for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventors. Also enclosed please find a copy of the executed Assignment with PTO 1595 Form.

Checks for the statutory fee of **\$900.00** and recordation of Assignment fee of **\$40.00** are attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

SUGHRUE MION, PLLC  
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Respectfully submitted,

*[Signature]*

Darryl Mexic  
Registration No. 23,063

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 29, 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,216	03/19/2004	Toshiro Hayakawa	Q80553

23373  
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CONFIRMATION NO. 6095

## FORMALITIES LETTER



\*OC000000012823886\*

Date Mailed: 06/01/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

07/30/2004 CNGUYEN 00000018 10804216

01 FC:1001  
02 FC:1051

770.00 OP

130.00 OP

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*A copy of this notice MUST be returned with the reply.*

AG

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE